

## **REMARKS**

### **Claim status**

Claims 1-28 were pending in the case at the time of the current Office Action. Claims 1 and 13 are currently amended herein. Claims 7 and 25 are cancelled herein. New claim 29 is added herein. No new matter has been added. Claims 1-6, 8-24, and 26-29 are currently pending in the application. There are a total of 27 claims currently pending in the application.

### **Allowable Subject Matter**

Claims 7, 9, 12, 19, 25, 27 and 28 are objected to as being dependent upon a rejected base claim. Applicants thankfully and respectfully acknowledge the Examiner's statement that claims 7, 9, 12, 19, 25, 27 and 28 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In this regard, Claim 1 has been amended herein to include the limitations of claim 7. Claim 7 has been cancelled herein. Therefore, it is respectfully submitted that claim 1 is in prima facie condition for allowance, in accordance with the Examiner's statement of allowable subject matter for claim 7 and any intervening claims in the current Office action.

Similarly, Claim 13 has been amended herein to include the limitations of claim 25. Claim 25 has been cancelled herein. Therefore, it is respectfully submitted that claim 13 is in prima facie condition for allowance, in accordance with the Examiner's statement of allowable subject matter for claim 25 and any intervening claims in the current Office action.

### **Section 103 rejections**

In the current Office action, claims 1, 8, 10, 11, 13, 18, 20, and 26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Moilanen (5,561,439) in view of Shiina (5,264,858).

In the current Office action, claims 2, 4, 6, 14, 16, 21, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moilanen in view of Shiina as applied to claims 1 and 13 above, and further in view of Pla (6,300,912).

In the current Office action, claims 5, 17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moilanen in view of Shiina as applied to claims 1 and 13 above, and further in view of Press (1,554,231).

As both independent claims 1 and 13 now include the limitations of allowable dependent claims, these rejections are overcome, and the claims are in prima facie condition for allowance. Further, as to claims 2-6, 8-12, 14-24, and 26-28 depend either directly or indirectly from claims 1 or 13, it is respectfully submitted that these dependent claims are also in prima facie condition for allowance as well.

Applicants respectfully request that the rejections of claims 1-6, 8, 10, 11, 13-18, 20-24, and 26 under 35 U.S.C. 103(a) be withdrawn.

With respect to new claim 29, the invention is claimed as comprising a multi-polarized antenna having at least three radiative antenna elements, each having a first and a second end, with the second ends of said radiative antenna elements being electrically connected at an apex point, and are each disposed to extend outwardly away from said apex point at an acute angle relative to an imaginary plane intersecting said apex point, wherein the radiative antenna elements are disposed in a three-dimensional pattern relative to said plane so as to provide multi-polarized reception of RF signals in at least x, y, and z axes relative to the imaginary plane.

With respect to claim 29, the prior art does not reflect upon the multi-polarized antenna as defined in the present invention. The prior art of Shiina relates to a glass antenna for an automobile telephone. The antenna has plural conductive strips extending in the same plane. The antenna does not relate to a multi-polarized antenna as defined in the present invention, wherein the at least three radiative antenna elements are positioned in a three-dimensional pattern as claimed. Similarly, the other prior art cited and relied upon by the Examiner also does not relate to the claimed multi-polarized antenna of the present invention. With respect to the prior art of Moilanen, there is described a downwardly angled cone ground plane, but this invention in no way relates to a multi-polarized antenna as claimed in claim 29. Further, the prior art of Pla, relating to the use of a dielectric block, is not relevant to the invention as defined in this claim. It is therefore believed that claim 29 is also in allowable form, and favorable action thereon is respectfully requested.

Accordingly, the applicant respectfully requests favorable action with respect to claims 1-28 which are believed to be in prima facie condition for allowance, along with new claim 29, which clearly distinguishes the prior art.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David J. Muzilla', written in a cursive style.

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